



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
RICHARD A. LEOPOLD, DIRECTOR

To: The Honorable Chester J. Culver and Members of the General Assembly

From: Richard A. Leopold, Director

Re: Report on Mercury Thermostat Recycling

Date: January 15, 2010

I am pleased to provide this status report on the implementation of the Mercury Thermostat Recycling Program as required by Iowa Code 455D.16.

The purpose of Iowa Code 455D.16 is to stop the sale and installation of mercury-added thermostats and require manufacturers of mercury containing thermostats to collect and recycle as many mercury-added thermostats as reasonably practicable. To ensure success of the program, the legislation directed the department to submit an annual report to the General Assembly regarding the collection and recycling of mercury-added thermostats in the state and recommendations for statutory changes concerning the collection and recycling of mercury-added thermostats.

Status of the Mercury Thermostat Recycling Program

Thermostat Recycling Corporation (TRC) is acting on behalf of 28 manufacturers representing 85 brands. TRC provides a collection container to Heating, Ventilation and Air Conditioning (HVAC) distributors, contractors and Regional Collection Centers (household hazardous waste collection facilities) for a one-time fee of \$25. Once the participant has filled the collection container, it is sent to a recycler using a pre-paid mailing label. Another collection container is automatically sent to the facility at no charge. As of December 1, 2009, there were 21 household hazardous waste facilities and 53 wholesalers and distributors with collection containers. TRC has completed two postcard mailings to 1,100 HVAC contractors to inform them of the program. TRC also maintains a website, www.thermostat-recycle.org, where a person can enter their zip code to find the nearest collection point.

Clean Burn of Iowa has implemented a collection and recycling program independently. Clean Burn thermostats are used in furnaces and boilers that burn used motor oil and are sold exclusively through one distributor in Iowa. Clean Burn of Iowa's service personnel will collect mercury containing thermostats when they are replaced. Clean Burn will also educate their customers about the program and accept thermostats from the public at their office at no charge. Once a sufficient number of thermostats are collected they will be properly recycled.

Both programs were implemented by April 1, 2009 as required, and their first report is to be submitted to the department by April 1, 2010. Without the reports or having collection goals in place, as described in more detail below, it is too early to make an assessment of the effectiveness of either of these programs.

Recommendations for statutory changes

The department recommends that the legislation be amended to clarify that the collection goals shall be based on collection rates expressed as a percentage of mercury added thermostats becoming waste annually. We believe that the effectiveness of the thermostat recycling program cannot be adequately assessed without putting the number of thermostats collected in the context of the number of thermostats discarded each year. Collection goals provide the motivation to increase collection while providing manufacturers the flexibility to design and implement the program in a way that works best for them. Without collection goals, it becomes necessary to be more prescriptive in how the program should be implemented.

The department appreciates updating the General Assembly on the status of this important legislation and looks forward to future updates and potential opportunities to work with legislators to implement these recommendations for statutory change. If you have any questions concerning this report please contact Theresa Stiner at 515/281-8646 or Theresa.Stiner@dnr.iowa.gov.